

PRODUCT: Analyses disclosed that the *Enricho No. 1* contained, per gram, 70 U. S. P. units of vitamin D, 50 U. S. P. units of vitamin A, more than 100 micrograms of riboflavin, approximately 86 micrograms of vitamin B₁, approximately 70 micrograms of ascorbic acid, and 119 micrograms of niacin; and that the *Enricho No. 2* contained, per gram, 200 U. S. P. units of vitamin D, 53 micrograms of riboflavin, 50 micrograms of vitamin B₁, less than 25 U. S. P. units of vitamin A, and approximately 80 micrograms of ascorbic acid and 75 micrograms of niacin.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the labels of the articles were false and misleading, since they represented and suggested that the articles would be of aid to poultry and livestock in preventing and recovering from setbacks and sickness due to shortage of vitamins; that the use of the articles would insure the health of animals; that the articles would be efficacious by reason of their vitamin content in the cure, mitigation, treatment, and prevention of infections in poultry and livestock; that the *Enricho No. 1* would be efficacious in the prevention in poultry of low disease resistance, rickets and paralysis, and in the prevention in four-legged animals of low disease resistance, rickets, diarrhea, anemia, night blindness, nutritional scours, and paralysis; and that the *Enricho No. 1* would be efficacious in the treatment of weak, run-down, and convalescent birds and animals, backward flocks, sickly animals, and females during pregnancy and nursing. The articles would not be efficacious for the purposes represented.

The articles were alleged also to be misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

DISPOSITION: January 5, 1948. A plea of guilty having been entered, the court imposed a fine of \$1,500.

2444. Misbranding of Lewis Spray for Poultry, Lewis Worm Killer, and Lewis Muroil. U. S. v. The Lincoln Hatchery. Plea of nolo contendere. Fine of \$75 and costs. (F. D. C. No. 21485. Sample Nos. 19641-H, 56508-H, 56510-H.)

INFORMATION FILED: June 24, 1947, District of Nebraska, against the Lincoln Hatchery, a corporation, Lincoln, Nebr.

ALLEGED SHIPMENT: On or about November 5, 1945, and March 15, 1946, from the State of Nebraska into the States of Iowa and Kansas.

PRODUCT: Analyses disclosed that the *Lewis Spray for Poultry* consisted chiefly of water and small amounts of formaldehyde, phenol, and glycerin; that the *Lewis Worm Killer* consisted of a brown powder containing a large amount of plant material and small amounts of nicotine and phenothiazine; and that the *Lewis Muroil* consisted chiefly of water and hydrochloric acid and a small amount of cod liver oil.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the labels of the articles were false and misleading. These statements represented and suggested that the articles would be efficacious for the following purposes, whereas they would not be efficacious for such purposes:

That the *Lewis Spray for Poultry* would be efficacious in the cure, mitigation, and treatment of respiratory diseases of poultry, the symptoms of which are gasping for breath and difficulty in breathing; that the *Lewis Worm Killer* would be effective in killing all species of worms infesting poultry; and that the *Lewis Muroil* would be efficacious in the cure, mitigation, treatment, and prevention in poultry of coccidiosis, listlessness, lack of appetite, and bowel trouble.

DISPOSITION: June 28, 1948. A plea of nolo contendere having been entered, the court imposed a fine of \$75 and costs.

2445. Misbranding of MBX Liquid for Poultry, Kalex Liquid for Poultry, FTC Liquid for Poultry, CWD Liquid for Poultry, and Noxaton. U. S. v. 7 Bottles, etc. (F. D. C. No. 23879. Sample Nos. 24423-K to 24426-K, incl., 24428-K.)

LABEL FILED: October 30, 1947, Northern District of Iowa.

ALLEGED SHIPMENT: On or about May 11 and December 5, 1946, and May 19 and June 12, 1947, by the Northern States Poultry Service Co., from Luverne, Minn.

PRODUCT: 7 ½-gallon bottles and 11 1-quart bottles of *MBX Liquid for Poultry*; 2 1-gallon bottles, 4 ½-gallon bottles, and 6 1-quart bottles of *Kalex Liquid for Poultry*; 4 ½-gallon bottles and 7 1-quart bottles of *FTC*

Liquid for Poultry; 7 1-quart bottles of *CWD Liquid for Poultry*; and 1 15-pound drum of *Nowaton*, at George, Iowa, together with a number of leaflets entitled "Get More Eggs!" post cards entitled "Double the Aid with this Powerful Combination," and booklets entitled "Guide to Poultry Service," which were delivered to the consignee of the products by a salesman of the shipper on or about June 12, 1947.

Analyses disclosed that the *MBX Liquid for Poultry* consisted essentially of water, with small amounts of potassium chlorate, potassium dichromate, and volatile oils such as camphor, eucalyptus, guaiacol, and creosote; that the *Kolex Liquid for Poultry* consisted essentially of water, with small proportions of potassium nitrate, potassium chlorate, potassium dichromate, and epsom salt; that the *FTC Liquid for Poultry* consisted essentially of water, with small amounts of zinc, sodium, calcium and copper phenolsulfonates; that the *CWD Liquid for Poultry* consisted essentially of water, with small proportions of calcium, sodium, zinc and copper phenolsulfonates with ipecac and extract of quebracho; and that the *Nowaton* consisted essentially of a powdered mixture containing copper and iron sulfates, and plant material including fragments of seeds, bark, roots, woody leaves, resins, starch, and small amounts of nicotine, potassium iodide, and strychnine.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the labeling of the articles were false and misleading, since the articles when used as directed were not effective for the purposes represented. The statements represented and suggested that the *MBX Liquid for Poultry* when used as directed was effective in the treatment of fowl pox, dry pox, wet pox (diphtheritic type), bronchitis, laryngotracheitis, colds, roup, lesions of fowl pox, swellhead, sinusitis, and bowel troubles; that the *Kolex Liquid for Poultry* when used as directed was effective in the treatment of botulism, commonly known as limberneck in poultry; that the *FTC Liquid for Poultry* when used as directed was effective in the treatment of intestinal disturbances in chickens, turkeys, ducks, and geese; that the *CWD Liquid for Poultry* when used as directed was effective in the treatment of coccidiosis of chickens and turkeys, and of blackhead in turkeys; and that the *Nowaton* when used as directed was effective in the treatment and prevention of lazy hens, run-down conditions of flocks, fowl tuberculosis, fowl cholera, fowl typhoid, botulism (limberneck), fowl pox, dry pox, wet pox (diphtheritic type), laryngotracheitis, bronchitis, fowl paralysis (avian leukosis, complex leukosis, leukemia), coccidiosis, intestinal type coccidiosis, roup, colds, mycosis, blackhead in turkeys, lesions of fowl pox, swellhead, sinusitis, trichomoniasis, and hexamitiasis.

DISPOSITION: December 13, 1947. Default decree of condemnation and destruction.

2446. Misbranding of Semi-Solid Pig Emulsion. U. S. v. 17 Barrels * * *.
(F. D. C. No. 15707. Sample No. 13528-H.)

LIBEL FILED: March 20, 1945, Southern District of Indiana.

ALLEGED SHIPMENT: On or about October 24, 1944, by the Consolidated Products Co., from Danville, Ill.

PRODUCT: 17 barrels, each containing 400 pounds, of *Semi-Solid Pig Emulsion* at Lebanon, Ind. Analysis showed that the product was a semisolid mixture of water, casein, lactose, mineral salts, and fats, including fish oil, and that it contained 9.27 percent of protein.

LABEL, IN PART: (Tag) "Guaranteed Analysis * * * Crude Protein, not less than 11.0%"; (folder headed "Complete Instructions for Feeding Semi-Solid Pig Emulsion") "Pigs and Sows Necro Treatment A half-pound of Semi-Solid Pig Emulsion per day per pig from weaning to market, is worth a hundred pounds per pig of cure. Feed it every day to safeguard your herd."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the folder were false and misleading, since they represented and suggested that the product would be effective in the prevention and treatment of "necro" or necro-enteritis in pigs and sows. The product would not be effective for such purposes.

The product was alleged also to be misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods, No. 13102.

DISPOSITION: The Consolidated Products Co., claimant, filed an answer admitting for the purpose of the instant case only, that the product was misbranded, but stating specifically that the admission was made without prejudice to the